



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
David E. Winn et al ) Group: 1723  
Serial No. 10/035,047 )  
Filed: December 27, 2001 ) Examiner: Matthew O. Savage  
Title: FUEL PUMP/FILTER INTEGRATION )

DECLARATION UNDER 37 C.F.R. 1.131

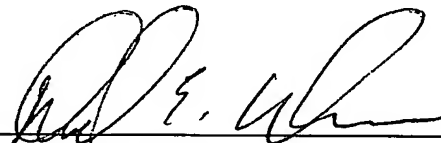
We, David E. Winn and Larry J. Tipton, are the joint inventors of the invention disclosed and claimed in all claims of the above-identified patent application and hereby declare as follows:

1. That the Examiner in the above-identified patent application rejected Claims 1, 13, and 18 under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,361,684 issued to Hawkins et al. on March 26, 2002. The Examiner also rejected Claims 4 and 15 under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,361,684 issued to Hawkins et al. in view of U.S. Patent No. 2,881,749 issued to Pringham. The Examiner further rejected Claims 7 and 11 under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,361,684 issued to Hawkins et al.
2. That U.S. Patent No. 6,361,684 issued to Hawkins et al. has a filing date of May 10, 2000.
3. That prior to May 10, 2000, we conceived of our novel fuel pump/filter integration apparatus as claimed and described in the above-identified patent application. Prior to May 10, 2000, we were in communication with attorney Anthony Niewyk and provided him with a drawing and an invention disclosure which disclosed the subject matter of the above-identified patent application.
4. That prior to May 10, 2000, we sought a patentability opinion from attorney Anthony Niewyk concerning the current invention. Consequently, our employer and assignee of the above-identified patent application, Federal Mogul World Wide, Inc., requested attorney Anthony Niewyk to file a patent application covering the subject matter of the above-identified patent application. On January 22, 2001, a draft patent application was sent to the assignee. A final version of the patent application was forwarded to the assignee on May 16, 2001.
5. That from May 16, 2001 until December 27, 2001, the assignee continuously sought our execution of the Declaration and Assignment for filing with the above-

identified patent application in the United States Patent and Trademark Office. However, we had both left employment with Federal Mogul World Wide, Inc., and, consequently, Federal Mogul World Wide, Inc. spent considerable time and effort to obtain our cooperation in executing the Declaration and Assignment.

6. That we eventually respectively executed the Declaration and Assignment on December 17, 2001, and October 18, 2001.
7. That the above-identified patent application was promptly filed on December 27, 2001.
8. We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/7/03

By:   
David E. Winn

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Larry J. Tipton